## **REMARKS**

Reconsideration of the rejections set forth in the Final Office Action mailed November 22, 2005, is respectfully requested. Claims 58-62 have been canceled without prejudice to their prosecution in a continuation application. Claims 48-57 remain pending.

## Art Rejections

Claims 58, 59, and 61 were rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by Kaldany (USP 5,906,599). Claims 58 and 61 were rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by Fisher (USP 6,350,244). Claim 62 was rejected as being allegedly unpatentable over Kaldany in view of Wang et al. (USP 5,951,494). Applicants have cancelled claims 58-62. Therefore, these rejections are now moot.

## Allowable Subject Matter

Applicant gratefully thanks the examiner for his indication that claims 48-57 are allowed over the prior art of record.

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NB1:674341.1

Patent

Attorney Docket: 032,290-096

(Formerly 412692000901)

Applicants believe the claims are in condition for allowance. Favorable action on the merits of the claims is therefore earnestly solicited. If any issues remain, please contact Applicant's undersigned representative at (949) 760-9600. The Commissioner is hereby authorized to charge any additional fees that may be required to Deposit Account No. 50-2862.

Respectfully submitted,

O'MELVENY & MYERS LLP

Dated: January 23, 2006

By: <u>Dane K. W</u>

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